

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	<u>MEMORANDUM AND</u>
	:	<u>ORDER</u>
-against-	:	
	:	09-CV-3465 (ENV)(VVP)
CHARLES H. WILLIAMS a/k/a Charles	:	
Henry J. Williams,	:	
	:	
Defendant.	:	
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VITALIANO, D.J.

The government filed this action on August 10, 2009 against defendant Charles H. Williams in connection with defendant's default on a federally insured student loan. Defendant failed to answer the complaint, the Clerk of Court noted defendants' default, and the government moved for default judgment. On October 28, 2009, the Court granted the motion with referral to Magistrate Judge Victor V. Pohorelsky for a report and recommendation ("R&R") as to appropriate relief. In an R&R issued on April 30, 2013, Judge Pohorelsky recommended that the government be awarded a default judgment in the amount of \$5,140.90 for unpaid principal and prejudgment interest through April 30, 2013, plus additional prejudgment interest at the rate of \$0.31 per day from May 1, 2013 to the date of judgment, and \$350 in costs.

In reviewing a report and recommendation of a magistrate judge, a district judge "may accept, reject, or modify, in whole or in part, the findings or

recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Further, a district judge is required to “determine de novo any part of the magistrate judge’s disposition that has been properly objected to.” Fed. R. Civ. P. 72(b)(3); see also Arista Records, LLC v. Doe 3, 604 F.3d 110, 116 (2d Cir. 2010). But, where no timely objection has been made, the “district court need only satisfy itself that there is no clear error on the face of the record” to accept a magistrate judge’s report and recommendation. Urena v. New York, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)).

No objections have been filed. After careful review of the record, the Court finds the R&R to be correct, well-reasoned, and free of any clear error. The Court, therefore, adopts the R&R in its entirety as the opinion of the Court. Judgment shall enter in favor of the government and against defendant Williams as follows: (1) \$5,140.90 for unpaid principal and prejudgment interest through April 30, 2013; (2) additional prejudgment interest at the rate of \$0.31 per day from May 1, 2013 to the date of judgment; and (3) \$350 in costs.

The Clerk of Court is directed to enter judgment and to close this case.

SO ORDERED.

Dated: Brooklyn, New York
June 13, 2013

s/ ENV

ERIC N. VITALIANO
United States District Judge